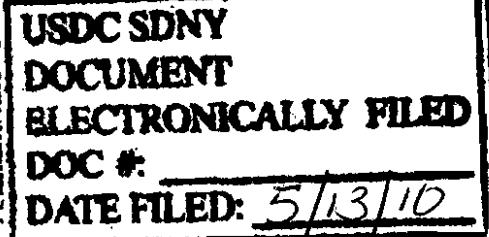


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MADELEINE L.L.C.,



Plaintiff,

Order

-against-

08 Civ. 10520 (MGC)

BRIAN STREET and JAMES H. COHEN,

Defendants.

-----X
Plaintiff and defendants are directed to submit by May 26, 2010 ten-page memorandums explaining whether the alleged commingling of assets constitutes a material breach under Section 8.1(f) of the Loan Agreement, and thereby gives rise to full-recourse personal liability under Section 2.2(b) (i) of the Carveouts Guaranty. The parties are also directed to address the effect of Madeleine's November 19, 2008 letter inviting cure as required by Section 8.1(f).

SO ORDERED.

Dated: New York, New York
May 12, 2010

5/13/10

MIRIAM GOLDMAN CEDARBAUM
United States District Judge